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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/518,349	03/03/2000	Cary Lane Rohwer	ST9-99-128	5134

25696 7590 08/12/2003

OPPENHEIMER WOLFF & DONNELLY  
P. O. BOX 10356  
PALO ALTO, CA 94303

EXAMINER

CHOUDHARY, ANITA

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 08/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b> 09/518,349	<b>Applicant(s)</b> ROHWER, CARY LANE	
	<b>Examiner</b> Anita Choudhary	<b>Art Unit</b> 2153	

All participants (applicant, applicant's representative, PTO personnel):

(1) Anita Choudhary. (3)\_\_\_\_\_.

(2) Joel Voelzke. (4)\_\_\_\_\_.

Date of Interview: 07 August 2003.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: Sequeria (US 6,222,530), Fu et al (5,845,257), Linblad et al.(US 6,225,993).

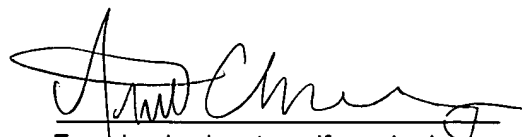
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner discussed points brought up by Applicant in proposed agenda faxed on August 4, 2003 (attached). Examiner pointed out where in the prior art limitation are shown. Sequeria shows selecting a server from a choice of media servers for inputting data. Applicant also pointed out that the rejection do not show copying and multicasting, even if this where to be true the function of copying and multicasting are well known in the art, as shown in the Applicant background.

Applicant argued that Fu is not analogous art for combination with Sequeria, however Examiner contends that Fu is related to Sequeria because both arts pertain to scheduling of events, be it video distribution, conference calls, meetings and the like. Fu simply shows scheduling on a more global scale across different time zones. It would have been obvious to combine Sequeria and Fu in order to schedule events with remote locations.

Claims are rejected based on prior art made of record. Examiner notified Applicant that changes to claims would require further search and/or consideration.

**OPPENHEIMER WOLFF & DONNELLY LLP  
FACSIMILE TRANSMITTAL SHEET**

233 WILSHIRE BLVD., SUITE 700  
SANTA MONICA, CALIFORNIA 90401  
TELEPHONE: 310/319-5400  
FACSIMILE: 310/319-3508

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DATE: August 4, 2003  
TO: Examiner Anita Choudhary / U.S. Patent and Trademark  
Office  
FAX NO.: Fax: (703) 476-9167  
FROM: Joel D. Voelzke, Esq.  
NO. OF PAGES: 3  
(INCLUDING THIS PAGE)  
RETURN FAX TO: Joel Voelzke

*IF YOU HAVE ANY PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL  
310/319-5459.*

COMMENTS:

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CLIENT/MATTER NO.: 410072-24  
Application S/N 09/766,484

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**PATENT****VIA FACSIMILE (703) 746-9167****IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant:	Cary Lane Rohwer	Docket No:	ST9-99-128
Serial No:	09/518,349	Group Art Unit:	2153
Filing Date:	March 3, 2000	Examiner:	Choudhary, Anita
For:	<b>SERVER TIME WINDOW FOR MULTIPLE SELECTABLE SERVERS IN A GRAPHICAL USER INTERFACE</b>		

Attn: Examiner Anita Choudhary  
Commissioner for Patents  
P.O. Box 1450  
Alexandra, VA 22313-1450

**PROPOSED AGENDA FOR EXAMINER INTERVIEW**

Dear Ms Choudhary:

Thank you for agreeing to discuss this application in a telephonic interview which is scheduled for August 6 at 1:00 p.m. Eastern time.

I propose to discuss the following topics and points in relation to the Final Office Action dated May 9, 2003:

1. The Examiner has stated that Sequeira discloses selecting preferred media from an attached media storage device corresponding to a selected media server. (Office Action at p. 4) Applicant disagrees, and contends that Sequeira does not disclose selecting any server from any choice of servers.
2. The Examiner also contends that Sequeira discloses selecting a start time and date for copying. (Office Action at p. 6). Applicant disagrees, and contends that Sequeira relates to insertion of material for broadcasting (i.e., insertion of commercial messages into broadcast shows), and does not contain any disclosure or suggestion of advantageous scheduling of copying from server to server.

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12780.1007

3. The Examiner contends that Lindblad relates to multicasting. (Office Action at p. 5). Applicant disagrees, and contends that Lindblad relates only to video-on-demand, not multicasting.

4. The Examiner contends that Fu shows displaying of local times, and contends that Fu is properly combinable because Fu is analogous art. (Office Action at p. 4) Applicant disagrees. Fu relates to a Personal Information Manager (PIM) for showing when a meeting is scheduled in local time. Someone seeking to solve problems associated with video distribution would not turn to the PIM arts.

5. For other reasons, the prior art does not disclose or fairly suggest Applicant's claims.

6. Applicant seeks to know what would be necessary, in the Examiner's view, to place some or all of the claims in condition for allowance.

Dated: August 4, 2003

Respectfully submitted,

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Joel Voelzke  
Reg. No. 37,957

**OPPENHEIMER WOLFF & DONNELLY LLP**  
233 Wilshire Blvd., Suite 700  
Santa Monica, CA 90401  
Telephone: (310) 319-5459  
Facsimile: (310) 319-3508